



The Family Rights Coalition of Michigan

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Dear Representatives of the Family and Children Services Committee,

First I would like thank all the leaders that have stepped forward to bring this monumental bill here today.

In my experience of the last 5 years I have talked with many people from throughout Michigan and know what many of them have experienced in the family court system. I don't speak of my experience through my billings, nor through my paycheck, I know it through my charity work; I know it through the feelings and emotions of those involved; I know it through their pain and suffering. It is for this reason I come forward and dedicate this testimony on their behalf.

At my child's school I once saw the many virtues of America placed about on the wall. They are strong American government values that are admired the world around. They are what have attracted many of the people here from other countries. Of many virtues "Equality" and the "Common Good" spoke particularly loudly to me. I had a daughter in the 4th grade at the time and I asked her if men and women should be treated equally. Of course she said yes. I asked what the "Common Good" meant, and she explained it clearly to me. Then I asked if she would want to live in a country that didn't respect those values. Her response was "I would not want to live in a country like that." I had no response.

If you are given a chance to talk to a 4th grader that has been substantially deprived access to a caring and loving parent - they will tell you they wished they could spend more time with that parent. If you ask that same child at 20, at 30, or even 50 their response will not vary; they forever miss that time.

The strength of HB5267 is that it empowers all parents that have the best interests of the child at heart. **It is based upon the unyielding bonds between parent and child.** It supports the core virtues of our nation. It is not based on covert greed, temporary acts of ill will. It is not based on obscure facts, allegations, nor on knowing the 17 volumes of court rules. It is not based on judicial preference, accordance to local court procedure, legal reputation of counsel, campaign contributions, or any other legal maneuvering.

Michigan's current policy of allowing contest for the right to diminish another fit parents equal right of access simply doesn't suit the needs of the children nor does it align with any virtue America shall desire to represent now or at any time in the future.

In my understanding, most custody cases are settled out of financial or emotional distress in the court system, they are not settled under laws and definitely NOT the "best interests of the child". The factors remain vague, unrevealing, and very open to judicial interpretation. Realizing the best interests as prescribed by current law make it financially unattainable for most Michigan citizens - leaving them NO REAL choice. Attorneys have quoted as much as \$10,000 down and real estimates to judicial decision were \$25,000 to over \$100,000. I ask you what young parent has that kind of money? **How can our state find it in the best interests of the child to financially destroy both parents in such pursuit?**

If you've noticed, the Michigan Family BAR message carries an eerie silence regarding this bill's effects on the finances of their organization. They are astutely aware that unnecessary custody challenges divert hundreds of millions of dollars from Michigan families to the pockets of their representatives of the legal system. Of course, as legislators of the people in your home districts, you must also be aware that legal fees for custody disputes frequently drive families from their homes, weaken the financial viability of the family, and unfortunately many times to bankruptcy.

A key argument of NOW raises concerns for the rights of victims of abuse. It is my belief that the unfitness clause in the bill would protect victims of abuse. Of course, the standard of mere allegation that is polluting justice in our court system today shall not hold much water in a custody hearing as it is also a well known fact that claims are often made for the sole purpose of unjustly depriving the other parent access to a child.

With such argument, I ask the leaders of this committee please continue to lead, and to do everything in your power to guarantee the rights of fit Michigan parents to parent. Please pass HB5267 today and begin the healing for the next generation of Michigan families.

Sincerely,

Edward Kempen
Director and Co-Founder
Family Rights Coalition of Michigan